

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

**MDL No. 2327
Honorable Joseph R. Goodwin**

Rosemary Fitzpatrick

Plaintiff(s),

v.

CASE NO. 2:12-cv-04841

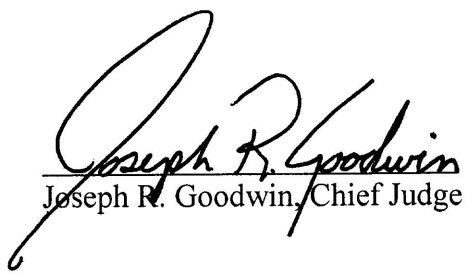
Johnson & Johnson, et al.

APPROVED and SO ORDERED.

ENTER: 10/22/12

Defendant(s).

MOTION TO TRANSFER MDL


Joseph R. Goodwin, Chief Judge

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2327, In re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation, to:

MDL 2325 American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2327 against Ethicon, Inc., and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Ethicon, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2325 :

American Medical Systems, Inc.
American Medical Systems Holdings, Inc.
Endo Pharmaceuticals, Inc.
Endo Health Solutions, Inc. (f/k/a Endo Pharmaceuticals Holdings, Inc.)

Because Ethicon, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) GRANT the Plaintiff(s) motion to transfer this civil action from MDL 2327 to 2325; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2327 and re-associate it with MDL 2325.

s/ David Kuttles

W. Mark Lanier, Esq.
New York Bar No. 4327384
David Kuttles, Esq.
New York Bar No. 4034393
Catherine T. Heacox, Esq.
New Jersey Bar No. 050401992
Dana Taschner, Esq.
California Bar No. 135494

Lisa Blue, Esq.

Texas Bar No. 02510500

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

s/ David Kuttles

THE LANIER LAW FIRM, PLLC
126 E. 56th Street, 6th Floor
New York, NY 10022
Tel: (212) 421-2800
Email: DXK@lanierlawfirm.com